IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE FIFTEENTH DAY OF MARCH

TWO THOUSAND AND FOUR

: PRESENT:

THE HON'BLE **MR. DEVINDER GUPTA** THE CHIEF JUSTICE
AND
THE HON`BLE MS. JUSTICE: **G. ROHINI**

CONTEMPT CASE No.**266 OF 2004**

(Contempt Case U/s 10 to 12 of Contempt of Courts to summon the respondent No. 7 and punish him for his dis-respect and willful disobedience in implementing the order dated: 11-09-2003 passed in W.A. No. 748 of 2003 passed by this Hon`ble Court)

Between:

Forum for peoples thought rep. president B. Gopal Rao, Flat No. 5, Swagruha Apartments, Plot NO. 135, in Block-C, Bhagyanagar Colony, Kukatpally, Balanagar Mandal, Ranga Reddy District.

Petitioner

AND

1. Sri Shirdi Sai Samaj, rep. by its Secretary V. Hariprasada Rao, Sri Shirdi Sai Baba Temple, Bhagyanagar Colony, Kukatpally, Hyderabad and others
2. Bhagyanagar Residence Welfare Association, Regd. No.1480/94, Bhagyanagar Colony, Kukatpally, Balanagar Mandal, R.R. District, rep. by its President sri M.V. Kishore.
3. Bhagyanagar Colony Development Association, Regd. No. 3984/96 rep. by its President L. Satyanarayana Setti, Bhagyanagar Colony, Kukatpally, Balanagar Mandal, R.R. District..
4. Bhagyanagar Colony Consumer Association Regd. No. 532/94, rep. by its President, S.V. Ratnam and Secretary L. Laxman Rao.
5. Bhagyanagar Mahila Regd. No. 2656/95, rep. by its President D.V. Saraswati and Secretary M. Jagadamba.
6. The District Collector, Rangareddy District, Khairatabad, Hyderabad.
7. S r i Vandan Kumar, Municipal Commissioner, Kukatpally Municipality, Ranga Reddy District.
8. Mandal Revenue Officer, Balanagar, Rangareddy District.
9. Hyderabad Urban Development Authority, rep. by its Vice-Chairman, Paiga Plaza, Begumpet, Hyderabad.
10. The Govt. of A.P., rep. by its Principal Secretary, Municipal Administration, Secretariat, Hyderabad.

(Respondents 1 to 6 and 8 to 10 are not necessary parties to this Contempt Case)

. Respondents
(Respondents in –do-)

The Contempt Case coming on for hearing upon perusing the Case and affidavit
Filed herein and upon hearing the arguments of Mr. V. Venugopala Rao,
Advocate for the petitioner and of Mr. R. Thimma Reddy, Advocate for the respondent No. 7, the Court made the following

ORDER:

"By the order, dated: 24-04-2003, passed by the learned single judge, two Writ Petitions were disposed of. Petitioner herein was one of the petitioners in Writ Petition No. 1354 of 1998, which was also disposed of by the learned single judge. Directions were issued by learned single judge to the Kukatpally Municipality to develop an area of 2597 square yards of land as 'park' after excluding the area occupied by Shirdi Sai Baba temple, within a period of three months, for which certain amount is stated to have been sanctioned. Before the learned single Judge, Bhagyanagar Colony Welfare Association represented by its Counsel Sri V.S.R. Anjaneyulu, has submitted that the Members of the said Welfare Association will be depositing a sum of Rs. 50,000/- with the Municipality within one month. Irrespective of such deposit, direction was made to commence the work of developing the area as park. Writ Appeal No. 748 of 2003 was filed against the said order and the Division Bench stayed the operation of the order of the learned single judge and ultimately the Writ Appeal was dismissed on 11-09-2003. Special Leave Petition was also filed by Sri Shirdi Sai Samaj in the Supreme Court and it was dismissed by the Supreme Court on 06-10-2003.

Petitioner-herein now states that the Kukatpally Municipality, which had to develop the park, has not commenced the work as yet. Learned Counsel appearing for the Kukatpally Municipality states that adequate steps have been taken to develop the area as park.

We would like the learned counsel for the Kukatpally Municipality to place on record an affidavit disclosing the steps taken by the Municipality to comply with the directions issued by the learned single judge in the Writ Petition. Affidavit will be filed within one week.

List after one week".

DEPUTY REGISTRAR

// True copy//

SECTION OFFICER

To

1. S r i Vandan Kumar, Municipal Commissioner, Kukatpally Municipality, Ranga Reddy District.
2. One CC to Mr. R. Thimma Reddy, Advocate, High Court of A.P., Hyderabad. (BY SPECIAL MESSENGER with a copy of petition and affidavit)
3. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 18-03-2004

HCJ
&
RGJ

DATE: 15-03-2004

NOTE:
POST AFTER ONE WEEK

ORDER

C.C. No. 266 OF 2004

DIRECTION